

Defendant United Parcel Service, Inc. (“Defendant” or “UPS”), by and through undersigned counsel of record, Lightfoot, Franklin & White, LLC, and King & Spalding LLP, and Plaintiff Barber Auto Sales, Inc. (“Barber”), by and through undersigned counsel, Wiggins Childs Quinn & Pantazis, Lowe & Grammas, LLP, Alexander, Corder, Plunk & Shelly, P.C., and Eyster Key Tubb Weaver & Roth, jointly move for Final Approval of Proposed Settlement in the above-captioned class action litigation.¹ This Court preliminarily approved the Settlement in an Order dated August 29, 2011. Pursuant to Federal Rule of Civil Procedure 23, Barber and UPS jointly move for an Order granting final approval of the Settlement of this action in accordance with the terms set forth in the Settlement Agreement, and approving the Plaintiff’s Fee Application and the Named Plaintiff’s Incentive Request, filed contemporaneously herewith.

The grounds on which this Motion is based are set forth in the accompanying Memorandum of Law and the exhibits thereto, which are expressly incorporated herein by reference. Accordingly, Barber and UPS jointly and respectfully request that this Motion for Final Approval be granted.

Respectfully submitted this 30th day of November, 2011.

/s/ S. Stewart Haskins

One of the Attorneys for Defendant
United Parcel Service, Inc.

/s/ Peter A. Grammas

One of the Attorneys for Plaintiff
Barber Auto Sales, Inc.

(signatures continue next page)

¹ Unless otherwise stated, all capitalized terms in this Motion and supporting Memorandum are as defined in the Settlement Agreement.

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